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EXPLANATION: ADMINISTRATION OF MEDICATIONS TO STUDENTS

MSBA has revised this policy to reflect the changes in law brought about by House Bill 675 (2013), §§ 167.800 - .824, RSMo. House Bill 675 specifically addresses the district's responsibilities related to caring for and supporting students with diabetes.

REQUIREMENTS

1. The new law requires districts to work with parents/guardians and students to review and implement a student's "diabetes medical management plan" as necessary to provide the appropriate services to students with diabetes. However, districts are not required to accept the management plan exactly as presented, but are only required to "review" the plan. MSBA recommends that the district work with the parents/guardians and student as necessary to best implement the plan in a school setting.
2. In accordance with the new law, the revisions to this policy now allow for students to possess at all times (not just while at school) and to self-administer their diabetic medications and to test blood sugar levels.

OPTIONAL

The following language is NOT required by the new law. Because this language is NOT required, MSBA did not include it in the revisions to this policy. Districts MAY include this language if they desire.

Here is a summary of the changes districts MAY include:

1. By January 15, 2014, the Department of Elementary and Secondary Education (DESE) is required to develop guidelines for training school employees in the care of students with diabetes. School boards MAY adopt and implement the DESE training guidelines and annual diabetes training programs for all school nurses and diabetes care personnel.
2. IF the district adopts and implements the training guidelines developed by DESE, it shall ensure that the training is provided to a minimum of three school employees at each school attended by a student with diabetes. If at any time fewer than three school employees are available to be trained, the principal or other administrator shall distribute to staff members a written notice seeking volunteers to serve as diabetes care personnel. Such notice shall:

- ▶ **State that the school shall provide diabetes care to one or more students with diabetes and is seeking personnel willing to be trained to provide care.**
 - ▶ **Include the tasks to be performed.**
 - ▶ **State that participation is voluntary and that the district shall take no action against any staff member who doesn't volunteer.**
 - ▶ **State that training will be provided to those who volunteer.**
 - ▶ **State that trained personnel are protected from any liability.**
 - ▶ **Include whom to contact if interested in volunteering.**
- 3. Each district MAY provide training in the recognition of hypoglycemia and hyperglycemia and actions to take in response to emergency situations to all school personnel who have primary responsibility for supervising a student with diabetes during some portion of the school day and to bus drivers responsible for the transportation of a student with diabetes.**
- 4. The district MAY provide all students with diabetes in the district appropriate and needed diabetes care as specified in their diabetes medical management plan. In accordance with a request from the parent/guardian of a student with diabetes and the student's diabetes medical management plan, the school nurse or trained diabetes care personnel may perform diabetes care functions including:**
- ▶ **Checking and recording blood glucose levels and ketone levels or assisting a student with such testing and recording.**
 - ▶ **Responding to blood glucose levels that are outside the student's target range.**
 - ▶ **Administering glucagon and other emergency treatments as prescribed.**
 - ▶ **Administering insulin or assisting a student in administering insulin through the insulin delivery system the student uses.**
 - ▶ **Providing oral diabetes medications.**
 - ▶ **Following instructions regarding meals, snacks and physical activity.**

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5. The school nurse or at least one of the trained diabetes care personnel MAY be on site and available to provide care to each student with diabetes during regular school hours and during all school-sponsored activities, including school-sponsored before- and after-school care programs, field trips, extended off-site excursions, extracurricular activities and on buses when the driver has not completed the necessary training.
6. If the district does adopt those practices listed above, those activities shall not constitute the practice of nursing and shall be exempted from all applicable statutory and regulatory provisions that restrict what activities can be delegated to or performed by a person who is not a licensed healthcare professional.
7. Further, it shall be lawful for a licensed healthcare professional to provide training to school employees or to supervise such personnel in performing those tasks described above.
8. Finally, no physician, nurse, school employee or school district shall be liable for civil damages or subject to disciplinary action under professional licensing regulations or school disciplinary policies as a result of the activities listed above when such acts are committed as an ordinarily reasonably prudent person would have acted under the same or similar circumstances.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary		Business Office	X	Coaches/Sponsors
	Facility Maintenance	X	Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
X	Health Services		Counselor	X	Special Education
X	Transportation		Public Info/Communications		Technology

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ADMINISTRATION OF MEDICATIONS TO STUDENTS

Definitions

Authorized Prescriber – Includes a healthcare provider licensed or otherwise authorized by state law to prescribe medication.

Diabetes Medical Management Plan – A document developed by the student's personal healthcare team that sets out the health services needed by the student at school and that is signed by the student's personal healthcare team and parent/guardian.

Medications – For the purposes of this policy, medications include prescription drugs and over-the-counter drugs, including herbal preparations and vitamins. Medications also include substances that claim or purport to be medicinal or performance enhancing.

Authorized Prescriber – Includes a healthcare provider licensed or otherwise authorized by state law to prescribe medication.

General

The **FIELD**(DistrictCommonName) is not legally obligated to administer medication to students unless specifically included in a Section 504 plan or an individualized education program (IEP). However, the Board recognizes that some students may require medication for chronic or short-term illnesses to enable them to remain in school and participate in the district's educational services. Parents/Guardians are encouraged to submit any relevant information regarding the medications their student needs, including a diabetes medical management plan or other information the district may use to develop an IEP, Section 504 Plan or individualized health plan (IHP). The district will review all information submitted by the parents/guardians and work with them to create a plan to meet the student's medical needs while at school or school activities. The district prohibits students from possessing or self-administering medications while on district grounds, on district transportation or during district activities unless explicitly authorized in accordance with this policy. The superintendent, in collaboration with the district nursing staff, will establish administrative procedures for storing and administering medications in compliance with this policy and pursuant to state and federal law. Medications will only be administered at school when it is not possible or effective for the student to receive the medication at home.

The administration of medications is a nursing activity that must be performed by or under the supervision of a registered professional nurse. A registered professional nurse may delegate the administration of medication to a licensed practical nurse or unlicensed personnel who are trained by the nurse to administer medications. The registered professional nurse is responsible for developing written procedures for training unlicensed personnel in the administration of medications

and for supervising the administration of medication by others. In accordance with law, any trained or qualified employee will be held harmless and immune from civil liability for administering medication in good faith and according to standard medical practices. A qualified employee is one who has been trained to administer medication according to standard medical practices.

The nurse or designee must maintain thorough documentation of all medications administered to students.

Nurses must use reasonable and prudent judgment to determine whether to administer particular medications to students while also working in collaboration with parents/guardians and the school administration. In carrying out their legal duty to protect the health, welfare and safety of students, nurses will, when necessary, clarify authorized prescriber orders and respond in accordance with such clarifications.

The district shall not knowingly administer medications in an amount exceeding the recommended daily dosage listed in the *Physician's Desk Reference (PDR)* or other recognized medical or pharmaceutical text. Except for the emergency use of a prefilled epinephrine auto syringe or asthma-related rescue medication, the district will not administer the first dose of any medication. Parents/Guardians are encouraged to arrange to administer prescription medications themselves when possible.

Over-the-Counter Medications

The district may administer over-the-counter medication to a student upon receipt of a written request and permission to do so by the parent/guardian. All over-the-counter medications must be delivered to the school principal or designee in the manufacturer's original packaging and will only be administered in accordance with the manufacturer's label.

Prescription Medications

The parent/guardian must provide the district with written permission to administer the medication before the district will administer the prescription medication to the student. The prescription label will be considered the equivalent of a prescriber's written direction, and a separate document is not needed.

Possession and Self-Administration of Medications

The district will permit a student to possess and self-administer medications ~~in accordance with an IEP or Section 504 plan or in accordance with state law allowing students to possess and self-administer medications for a chronic health condition~~ **as required by law and as allowed in this section.** However, permission to possess and self-administer medications may be revisited if there

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is evidence that the student is not handling or administering the medication appropriately or that the student's actions may be harming his or her own health or the health and safety of other persons. Such permission is required for students to possess and self-administer medications while at school, at a district-sponsored activity and on district-sponsored transportation. Such permission shall be effective only for the same school and school year for which it is granted.

Students with Diabetes

Upon written request of the parent/guardian and upon authorization by a student's diabetes medical management plan, the district will permit a student with diabetes to perform blood glucose checks, administer insulin through the student's insulin delivery systems, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes. The district will permit the student to possess on his or her person at all times all necessary supplies and equipment to perform these monitoring and treatment functions. The student shall have access to a private area for performing diabetes care tasks should the parent/guardian or student request such access.

Students with IEPs or Section 504 Plans

Students may possess and self-administer medications in accordance with the student's IEP or Section 504 plan.

Students with Other Chronic Health Conditions

Students may possess and self-administer medications for the treatment of asthma, anaphylaxis and other chronic health conditions in accordance with this policy and law. The district will not permit students to possess and self-administer medications unless:

1. The medication was prescribed or ordered by the student's physician.
2. The physician has provided a written treatment plan for the condition for which the medication was prescribed or authorized that includes a certification that the student is capable of and has been instructed in the correct and responsible use of the medication and has demonstrated to the physician or the physician's designee the skill level necessary to use the medication.
3. The student has demonstrated proper self-administration technique to the school nurse.
4. The student's parent/guardian has signed a statement authorizing self-administration and acknowledging that the district and its employees or agents will incur no liability as a result

of any injury arising from the self-administration of such medication unless such injury is a result of negligence on the part of the district or its employees or agents.

Emergency Medications

All student-occupied buildings in this district are equipped with prefilled epinephrine auto syringes and asthma-related rescue medications. The school nurse or another employee trained and supervised by the school nurse may administer these medications when they believe, based on training, that a student is having a life-threatening anaphylactic reaction or life-threatening asthma episode.

Epinephrine and asthma-related rescue medications will only be administered in accordance with written protocols provided by an authorized prescriber. The Board will purchase an adequate number of prefilled epinephrine auto syringes and asthma-related rescue medications based on the recommendation of the school nurse, who will be responsible for maintaining adequate supplies.

The school principal or designee will maintain a list of students who cannot, according to their parents/guardians, receive epinephrine or asthma-related rescue medications. A current copy of the list will be kept with the devices at all times.

Consequences

Students who possess or consume medications in violation of this policy while on district grounds, on district transportation or during a district activity may be disciplined up to and including suspension or expulsion. Employees who violate this policy may be disciplined up to and including termination. District administrators will notify law enforcement when they believe a crime has occurred.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: **FIELD**(AdoptDate)

Revised:

Cross Refs: EBB, Communicable Diseases
EBBA, Illness and Injury Response and Prevention

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Legal Refs: §§ 167.621 - .635, .800 - .824, 335.016, .066, 338.059, 577.625, .628, RSMo.
Davis v. Francis Howell Sch. Dist., 138 F.3d 754 (8th Cir. 1998)
DeBord v. Board of Educ. of Ferguson-Florissant Sch. Dist., 126 F.3d 1102 (8th Cir.
1997)

FIELD(DistrictLocationLine)